

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)
)
Plaintiff,) **ORDER**
)
vs.)
)
Chad Everette Bear, Jr.,) Case No. 1:21-cr-186
)
Defendant.)

On February 17, 2022, the court issued an order conditionally releasing defendant on February 21, 2022, for transport to the Summit Prairie Recovery Center (“Summit”) in Raleigh, North Dakota, so that he participate in its treatment program. (Doc. No. 80).

On February 22, 2022, defendant filed a motion requesting to amend its order. (Doc. No. 83). He advises that, due to scheduling conflicts, he can not be transported to Summit until February 24, 2022. He requests that the court amend its order accordingly.

The court **GRANTS** defendant’s motion (Doc. No. 83). Defendant shall be released to a Summit representative or other person approved by the Pretrial Services Officer no earlier than 8:00 AM on February 24, 2022, for immediate transport to Summit’s treatment facility. While on release, defendant shall comply with the following conditions:

- (1) Defendant shall not violate federal, state, tribal, or local law while on release.
- (2) Defendant shall appear in court as required and surrender for any sentence imposed.
- (3) Defendant shall refrain from the use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner, and any use of inhalants.

Defendant shall submit to drug/alcohol screening at the direction of the Probation Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection progress or specimen may be considered the same as a positive test.

- (4) Defendant shall report to the Probation Officer at such times and in such manner as designated by the Officer.
- (5) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (6) Defendant shall reside at Summit's treatment facility, fully participate in its programming, and comply with all of its rules and regulations. Upon his arrival, he shall contact Pretrial Services Officer Bobby Wiseman at (701) 530-2414.
- (7) Defendant shall sign all releases of information requested by the Pretrial Services Officer so that his progress and participation in treatment may be monitored.
- (8) Defendant shall submit his person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of pretrial release. Defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition.
- (9) Defendant shall not knowingly or intentionally have any direct or indirect contact with any co-defendants, except that counsel for the defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is necessary in the furtherance of the defendant's legal defense.
- (10) At least four days prior to the completion of his treatment program, defendant shall

contact the Probation Office so that it may evaluate the appropriateness of any proposed living arrangements. Upon his discharge from his treatment program, defendant shall reside at an address approved by the Probation Office and not change this address without the Probation Office's permission. If the Probation Office determines that defendant is in need of a placement in a residential facility, defendant shall report to the designated facility as directed and comply with the facility's rules and regulations. If a residential facility is not available, defendant shall report the United States Marshal's office in Bismarck with the understanding that he shall be detained pending further order of the court.

IT IS SO ORDERED.

Dated this 23rd day of February, 2022.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge
United States District Court